

REMARKS

Claims 1-5 currently appear in this application. The Office Action of, October 11, 2007, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Election/Restriction

It is noted with appreciation that the Examiner has withdrawn the restriction requirement to facilitate prosecution.

Specification

The specification is objected to for informalities in that the section headings should appear in upper case without underlining or bold type, and there are several minor spelling errors.

The present amendment corrects these informalities.

Art Rejections

Claims 1-5, 8, 9, 12-15, 19 and 40-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandai, U.S. 5,780,620.

This rejection is respectfully traversed. Claim 1 has been amended to recite "a method for increasing glass-transition temperature." Support for this amendment can be found in the specification as filed at page 17, lines 12-19, pages 33-40 (Experiment 1) and pages 105-106 (Example 70).

Claims 8, 9, 12-15, 18 and 40-46 have been cancelled, so that the rejection of these claims is now moot.

Claims, 1-5 have been amended to recite a method for increasing the glass transition temperature in a composition by incorporating a saccharide derivative of  $\alpha,\alpha$ -trehalose into the composition in an amount of at least one percent of the total weight of the composition on a dry solid basis.

In contrast thereto, Mandai does not disclose a method of increasing the glass transition temperature in a composition. Mandai is concerned with controlling moisture in a product.

Claims 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubota et al., U.S. 5,906,767.

As claims 8 and 9 have been cancelled, this rejection is now moot.

Claims 1-5, 12-15, 17 and 40-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al., 5,908,767.

This rejection is respectfully traversed. Kubota is concerned with producing a drying agent for foods, not for increasing the glass transition temperature of compositions. Therefore, Kubota has nothing to do with the herein claimed methods.

**Double Patenting**

Claims 8, 9 and 12-14 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 12-15 and 1-2, respectively, of Mandai.

As claims 8, 9 and 12-14 have been cancelled, this rejection is now moot.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By: /Anne M. Kornbau/  
Anne M. Kornbau  
Registration No. 25,884

AMK:srd  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
G:\BN\S\SUMA\TAKEUCHI10\Pto\2008-03-11Amendment.doc